

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	Mail Stop AF
)	
Sergey BRIN)	Group Art Unit: 2169
)	
Application No.: 10/734,111)	Examiner: S. Al-Hashemi
)	
Filed: December 15, 2003)	
)	
For: INFORMATION EXTRACTION)	
FROM A DATABASE)	

PRE-APPEAL BRIEF REQUEST FOR REVIEW

U.S. Patent and Trademark Office
Customer Window, Mail Stop AF
Randolph Building
401 Dulany Street
Alexandria, Virginia 22314

Sir:

Applicant respectfully requests review of the final Office Action, dated March 16, 2009, in view of the remarks below and in conjunction with the Notice of Appeal filed concurrently with this request. Claims 35-41, 43-49, and 61-65 are pending in this application.

In the final Office Action, the Examiner rejects claims 35-41, 43-49, and 61-65 under 35 U.S.C. § 112, first paragraph, as not complying with the written description requirement. Applicant respectfully requests review of the final rejection due to factual deficiencies in the outstanding rejection under 35 U.S.C. § 112, first paragraph.

In particular, the Examiner alleges that (final Office Action, p. 2):

[t]he newly amended limitation was not supported by the specification.
Applicant is required to point out where in the specification the newly amended limitation is.

Applicant disagrees.

As set forth in the Request for Reconsideration, filed May 18, 2009, the Examiner clarified that the "newly amended limitation" refers to the following language in

independent claim 35 - "text that precedes the plurality of fields of the first tuple" and "text that follows the plurality of fields of the first tuple" - and the similar language added to independent claims 45, 49, and 63. Applicant submits that Applicant's specification, as originally filed, provides clear support for the above features. Thus, Applicant submits that the Examiner's allegation is factually incorrect.

Fig. 4 illustrates a process for extracting information from a database. As illustrated, the process includes searching for occurrences of at least one tuple (act 201), analyzing an occurrence of a tuple to identify a pattern (act 203), and extracting additional tuples utilizing the pattern (act 205). Additional details regarding these acts and examples of these acts are provided on pages 11-24 of Applicant's specification.

Applicant's specification sets forth an example on pages 15 and 16 of a pattern that can be identified for the tuple (*author, title*). Applicant's specification discloses an exemplary pattern as a five-tuple of (*order, urlprefix, prefix, middle, suffix*). In this exemplary pattern, an (*author, title*) tuple may, for example, match this five-tuple pattern if there is a document in the database with a URL that matches *urlprefix* and contains text that matches the regular expression ***prefix, author, middle, title, suffix***, where *prefix* includes the *m* characters that precede the *author* of the (*author, title*) tuple, *middle* is text between the *author* and the *title*, and *suffix* includes the *m* characters following the *title* of the (*author, title*) tuple. Thus, Applicant submits that the *prefix* described above provides clear support for "text that precedes the plurality of fields of the first tuple" (where the first tuple, in the above example, includes the following plurality of fields: an author field and a title field) and the *suffix* described above provides clear support for "text that follows the plurality of fields of the first tuple." In fact, pages 15-16 of Applicant's specification specifically define *prefix* as including "the *m* characters (e.g., 10) preceding the *author* (or *title* if the title was first)" and *suffix* as including "the *m* characters following the *title* (or *author*).". Thus, the *prefix* includes text that precedes the plurality of fields of the tuple (*author, title*) and *suffix* includes text that follows the plurality of fields of the tuple (*author, title*).

In addition, original dependent claim 7 recites that "the pattern includes a prefix text and suffix text, where the prefix text precedes desired information in the tuples of information and the suffix text follows desired information in the tuples of information."

Applicant submits that the prefix text recited in original claim 7 provides clear support for "text that precedes the plurality of fields of the first tuple" and the suffix text recited in original claim 7 provides clear support for "text that follows the plurality of fields of the first tuple."

Moreover, Applicant further directs the Examiner's attention to the flowchart depicted in Fig. 7, which is directed to identifying a pattern and includes setting the prefix and suffix in the exemplary 5-tuple pattern described above (see, for example, acts 509 and 511 in Fig. 7; and page 16, line 10 to page 17, line 2).

The Examiner does not provide any evidence to support the rejection under 35 U.S.C. § 112, first paragraph, or to rebut Applicant's arguments set forth in the Request for Reconsideration. Accordingly, the Examiner has not met the burden of establishing a proper rejection under 35 U.S.C. § 112, first paragraph.

For at least the foregoing reasons, Applicant respectfully submits that independent claim 35 satisfies the written description requirement. Accordingly, Applicant respectfully requests that the rejection of claim 35 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Claims 36-41, 43, and 44 depend from claim 35. Therefore, Applicant submits that these claims satisfy the written description requirement for at least the reasons given above with respect to claim 35. Accordingly, Applicant respectfully requests that the rejection of claims 36-41, 43, and 44 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Independent claims 45, 49, and 63 recite features similar to (yet possibly of different scope than) the features described above with respect to claim 35. Therefore, Applicant submits that these claims satisfy the written description requirement for at least reasons similar to reasons given above with respect to claim 35. Accordingly, Applicant respectfully requests that the rejection of claims 45, 49, and 63 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Claims 46-48 depend from claim 45, claims 61 and 62 depend from claim 49, and claims 64 and 65 depend from claim 63. Therefore, Applicant submits that claims 46-48, 61, 62, 64, and 65 satisfy the written description requirement for at least the reasons given above with respect to claims 45, 49, and 63. Accordingly, Applicant respectfully

requests that the rejection of claims 46-48, 61, 62, 64, and 65 under 35 U.S.C. § 112, first paragraph, be reconsidered and withdrawn.

Conclusion

In view of the foregoing remarks and the remarks presented in the Request for Reconsideration, Applicant submits that clear factual deficiencies exist with respect to the rejections of claims 35-41, 43-49, and 61-65. Therefore, Applicant respectfully requests withdrawal of the outstanding rejection and the timely allowance of this application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1070 and please credit any excess fees to such deposit account.

Respectfully submitted,

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